

Application No.: 10/769,532
Amendment and Response dated December 18, 2007
Reply to Office Action of August 20, 2007
Docket No.: 760-251 RCE II
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Remarks/Arguments:

Introduction

The specification has been amended to reference a "correct" serial number. Entry of this amendment is respectfully requested.

Claims 1-9, 11-14, 19, 21, 36 and 39 are pending. Claim 1 has been amended to include the limitations of claims 10 and 40. Claim 21 has been amended to include the limitations of claim 38. Claims 10, 15, 37, 38 and 40 are canceled. Entry of these claim amendments is respectfully requested. No new matter is introduced with these amendments.

Summary of Independent Claims

The invention as presently defined by independent claim 1 is directed to a graft. The graft of this aspect of the invention comprises a graft body section having a proximal end, a distal end, and defining at least one inflatable porous channel; at least one inflatable porous cuff disposed at the proximal or distal end of the graft body section and in fluid communication with the at least one channel; and an inflation medium including at least one therapeutic agent configured to be introduced into the inflatable channel; wherein the inflation medium comprises a curable liquid, the inflation medium comprising a therapeutic agent-carrying host polymer where the host polymer comprises one more materials selected from the group consisting of polyethylene glycol diacrylate, ethoxylated trimethylolpropane triacrylate, or polypropylene glycol diacrylate in combination with pentaerythritol tetra 3 (mercaptopropionate). (emphasis added)

The invention as presently defined by independent claim 21 is directed to a graft. The graft of this aspect of the invention comprises a graft body section having a proximal end, a distal end, and defining at least one inflatable porous channel therebetween; a connector member affixed to the proximal or distal end of the graft body section, the connector member comprising one or more connector elements; a stent comprising one more proximal stent

connector elements coupled to the one or more connector member connector elements; and an inflation medium including at least one therapeutic agent configured to be introduced into the inflatable channel; wherein the inflation medium is selected from the group consisting of polyethylene glycol diacrylate, ethoxylated trimethylolpropane triacrylate, or polypropylene glycol diacrylate in combination with pentaerythritol tetra 3 (mercaptopropionate). (emphasis added)

The invention as presently defined by independent claim 39 is directed to a graft. The graft of this aspect of the invention comprises a graft body section having a proximal end, a distal end, and defining at least one inflatable porous channel; at least one inflatable porous cuff disposed at the proximal or distal end of the graft body section and in fluid communication with the at least one channel; and an inflation medium including at least one therapeutic agent configured to be introduced into the inflatable channel; wherein the inflation medium comprises a curable liquid; and wherein the curable liquid is selected from the group consisting of polyethylene glycol diacrylate, ethoxylated trimethylolpropane triacrylate, or polypropylene glycol diacrylate in combination with pentaerythritol tetra 3 (mercaptopropionate). (emphasis added)

Section 103 Rejections

Claim 21 is rejected under 35 U.S.C. §103(a) as allegedly being obvious over U.S. Patent Application Publication No. 2002/0103527 to Kocur et al. (hereinafter "Kocur") in view of U.S. Patent Application No. 2002/0091440 to Calcote (hereinafter "Calcote"). Claims 1-9, 12-14, 18-19, 36 and 39 are rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Kocur in view of Calcote and in further view of U.S. Patent No. 6,051,648 to Rhee et al. (hereinafter "Rhee"). Claims 1-9, 11, 13, 14, 18, 19, 36 and 39 are rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Kocur in view of Calcote and in further view of U.S. Patent No. 6,663,662 to Pacetti et al. (hereinafter "Pacetti"). Applicants respectfully traverse.

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Kocur, Calcote, Rhee and Pacetti, individually or in combination, fail to teach or suggest, *inter alia*, a graft comprising a host polymer, an inflation medium and/or a curable liquid selected from the group consisting of polyethylene glycol diacrylate, ethoxylated trimethylolpropane triacrylate, or polypropylene glycol diacrylate in combination with pentaerythritol tetra 3 (mercaptopropionate).

Thus, independent claims 1, 21 and 39 are patentably distinct over Kocur, Calcote, Rhee and Pacetti, individually or in combination. Therefore, reconsideration and withdrawal of the rejections of independent claims 1, 21 and 39 are respectfully requested.

Summary

Therefore, Applicants respectfully submit that independent claims 1, 21 and 39, and all claims dependent therefrom, are patentably distinct. This application is believed to be in condition for allowance. Favorable action thereon is therefore respectfully solicited.

Should the Examiner have any questions or comments concerning the above, the Examiner is respectfully invited to contact the undersigned attorney at the telephone number given below.

Respectfully submitted,



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